

1 JOHN F. PRENTICE, ESQ. SBN 087606  
John F. Prentice & Associates, PC  
2 2200 Powell Street, Suite 740  
Emeryville, CA 94608  
3 Telephone: (510) 420-9000  
Facsimile: (510) 597-0718  
4 Email: [jfprenticelaw@yahoo.com](mailto:jfprenticelaw@yahoo.com)

5 CLYDE I. BUTTS, ESQ. SBN. 88020  
LAW OFFICES OF CLYDE I. BUTTS  
6 1225 Alpine Road, Suite 201  
Walnut Creek, CA 94596  
7 Telephone: (925) 906-9970  
Facsimile: (925) 906-9508  
8 Email: [buttslaw@pacbell.net](mailto:buttslaw@pacbell.net)

9 Attorneys for Plaintiff,  
Antonio Santiago III

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 ANTONIO SANTIAGO III,

**CASE NO. CV 11-04012 SBA**

14 Plaintiff,

**STIPULATION TO ALLOW THE  
FILING OF PLAINTIFF ANTONIO  
SANTIAGO III'S FIRST AMENDED  
COMPLAINT AND ORDER THEREON**

15 v.

16 COUNTY OF SAN MATEO,  
GREGORY MOMUNKS,  
17 LIEUTENANT GREGORY EATMON, ,  
DETECTIVE VICTOR LOPEZ,  
18 DEPUTY MICHAEL J. MCVAY,  
SAN MATEO COUNTY TRANSIT  
19 DISTRICT, (SAM TRANS), THE  
PENINSULA CORRIDORS JOINT  
20 POWERS BOARD, (CAL TRAIN), and  
DOES 1 through 100, inclusive.

21 Defendants.  
22

23 \_\_\_\_\_/  
24 Plaintiff ANTONIO SANTIAGO III, through his counsel, John F. Prentice, Esq. of John F.  
25 Prentice & Associates, P.C., and Defendants COUNTY OF SAN MATEO, GREGORY MOMUNKS,  
26 LIEUTENANT GREGORY EATMON, DETECTIVE VICTOR LOPEZ, DEPUTY MICHAEL J.  
27 MCVAY, through their respective counsel, David A. Levy, Deputy and David A. Silberman, Deputy,  
28 of John C. Beiers, County Counsel for San Mateo County, stipulate as follows:

**STIPULATION TO ALLOW THE FILING OF PLAINTIFF ANTONIO SANTIAGO III'S FIRST AMENDED  
COMPLAINT AND ORDER THEREON – CASE NO. CV 11-04012 SBA**

1 Plaintiff ANTONIO SANTIAGO III may file a First Amended Complaint in the above-entitled  
2 action in lieu of Defendants filing a Rule 12b(6) motion in response to Plaintiff's Complaint.  
3 Defendants shall have twenty (20) days from service of the First Amended Complaint to file and serve  
4 their response.

5 **IT IS SO STIPULATED.**

6 Dated: September 21, 2011

JOHN F. PRENTICE & ASSOCIATES, PC

7 /s/

8 \_\_\_\_\_  
John F. Prentice, Esq.  
Attorneys for Plaintiff  
9 ANTONIO SANTIAGO III

10 Dated: September 21, 2011

JOHN C. BEIERS, COUNTY COUNSEL

11 /s/

12 \_\_\_\_\_  
David A. Levy, Deputy  
David A. Silberman, Deputy  
Attorneys for Defendants  
13 COUNTY OF SAN MATEO, GREGORY  
14 MOMUNKS, LIEUTENANT GREGORY  
15 EATMON, DETECTIVE VICTOR LOPEZ,  
DEPUTY MICHAEL J. MCVAY

16 **COURT ORDER**

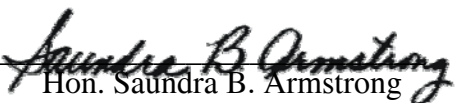
17 The Court has read and considered the foregoing Stipulation. Based on the stipulation of the  
18 parties and good cause appearing therefore,

19 **IT IS ORDERED:**

20 Plaintiff ANTONIO SANTIAGO III may file a First Amended Complaint in the above-entitled  
21 action in lieu of Defendants filing a Rule 12b6 motion in response to Plaintiff's Complaint. Defendants  
22 shall have twenty (20) days from service of the First Amended Complaint to file and serve their  
23 response.

24 **IT IS SO ORDERED.**

25  
26 Dated: 9/22/11

27 \_\_\_\_\_  
  
Hon. Sandra B. Armstrong